

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
LATIESHA HENRY, L.P.N.	:	
License # 26NP 07108700	:	FINAL ORDER
	:	OF DISCIPLINE
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Latiesha Henry ("Respondent") is a Licensed Practical Nurse (LPN) in the State of New Jersey, and has been a licensee at all times relevant hereto. Respondent was initially licensed on April 3, 2014.

2. On or about May 7, 2015, a letter of inquiry issued on behalf of the Board, asking Respondent to supply information and documents relating to an arrest, on April 20, 2015 on charges of simple assault. The letter asked for information concerning the arrest and concerning Respondent's nursing practice.

3. A subsequent flagging notice indicated to the Board that Respondent had been convicted of local ordinance violations on April 28, 2015 and assessed a total of \$533 in fines and costs.

4. On May 20, 2015, a two-sentence letter was faxed to the Board, indicating that the arrest concerned a domestic dispute, and that Respondent had been convicted of a noise violation. Respondent did not provide, as requested, a copy of the municipal court complaint, indictment, police report, documentation of the disposition, name and address of nursing employer, job title, dates of employment, shift, type of unit worked, a performance evaluation, or a narrative statement with Respondent's version of the conduct, facts, and circumstances that resulted in the arrest.

CONCLUSIONS OF LAW

Respondent's failure to fully respond to the Board's inquiry constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2 and 1.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension and a five hundred dollar (\$500) civil penalty was entered on August 20,

2015. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order of Discipline by providing the information originally requested in the Board's letter of inquiry. Respondent maintained that when she first provided her brief response to the letter of inquiry, she was in the State of Georgia and did not have most of the information readily available. She did not provide any further response to the Board until she received the Provisional Order. She then gathered the information and provided it to the Board.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Inasmuch as Respondent provided the information

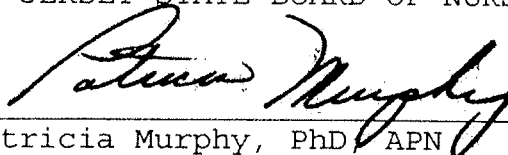
originally requested, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent months year later, warrants imposition of a five hundred dollar (\$500) civil penalty.

ACCORDINGLY, IT IS on this 10th day of December, 2015,
ORDERED that:

1. A civil penalty in the amount of five hundred dollars (\$500) is hereby imposed. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than twenty-one (21) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

2. The Board reserves the right to initiate disciplinary proceedings based upon the information provided by Respondent and upon any new information received.

NEW JERSEY STATE BOARD OF NURSING

By: 
Patricia Murphy, PhD, APN
Board President